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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00176-10 DAE
)	
Plaintiff,)	
)	STIPULATION AND ORDER
vs.)	CONTINUING TRIAL AND TO
)	EXCLUDE TIME
EDWARD MERSBURGH, (10),)	
aka "Kawaika,")	Old Date: March 29, 2006
)	New Date: July 18, 2006
Defendant.)	Judge: Hon. David A. Ezra
_____)	

STIPULATION AND ORDER CONTINUING
TRIAL AND TO EXCLUDE TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that the jury trial presently scheduled for March 29, 2006 be continued to July 18, 2006.

This continuance is made at the request of the defense in order to allow counsel adequate time within which to conduct further investigation, prepare pretrial motions and prepare the

case for trial, confer with and advise the defendant and to ensure continuity of counsel for the defendant and for the government. Defense counsel has a murder case in state court and government counsel has contested sentencing hearing in United States District Court during the week of March 28th and the Court finds that failure to grant such continuance would unreasonably deny counsel for the defendant reasonable time necessary for effective preparations, taking into account the exercise of due diligence and would deny continuity of counsel for the defendant and for the government. Counsel for both the defendant and government have trials in April and May. Accordingly, this Court finds that the ends of justice served by continuing the trial in this case until July 18, 2006, outweigh the best interest of the public and the defendant in a speedy trial.

IT IS FURTHER STIPULATED AND AGREED by and between the parties that the time period beginning and including

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March 29, 2006 to and including July 18, 2006, be excluded from the computations required by the Speedy Trial Act, 18 U.S.C. § 3161.

DATED: March 21, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas Muehleck
THOMAS MUEHLECK
Assistant U.S. Attorney

/s/ William M. Domingo
WILLIAM M. DOMINGO
Attorney for defendant
Edward Mersburgh

IT IS APPROVED AND SO ORDERED.

DATED: March 21, 2006, at Honolulu, Hawaii.





David Alan Ezra
United States District Judge

United States v. Edward Mersburgh
Cr. No. 02-00176-10 DAE

Stipulation and Order Continuing
Trial and to Exclude Time